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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,887	10/01/2001	Takuma Yanagisawa	Q66457	3486

7590

06/05/2003

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EXAMINER

BROADHEAD, BRIAN J

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

09/965,887

Applicant(s)

YANAGISAWA, TAKUMA

Examin r

Brian J. Broadhead

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 through 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuhn et al., 4354173.

3. As per claims 1, 6, 10, 15, Kuhn et al. disclose calculating a histogram of vehicle information or a standard deviation during use of a vehicle base don at least one of vehicle information relating to fuel consumption of the vehicle, the vehicle information being output from a vehicle information detector when a predetermined time elapses after the beginning of the use of the vehicle on lines 30-33, on column 4; marking vehicle information based on a point set in the histogram or the standard deviation on lines 1-10, on column 4; and calculating an evaluation result based on the point of each of the marked vehicle information to notify a driver of the calculated evaluation result on lines 26-30, on column 4; and a device for detecting a first vehicle speed pulse output from a vehicle speed sensor during use of a vehicle and a second speed pulse output from the vehicle speed pulse sensor when a predetermined time elapses after the beginning of the use of the vehicle is inherent, motor vehicles are required to have a speedometer.

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4. As per claims 2, 7, 12, and 17, Kuhn et al. disclose the evaluation result comprises and evaluation result of the driving situation of the vehicle on lines 26-30, on column 4.

5. As per claims 3, 4, 8, 13, 14, and 18, Kuhn et al. disclose the vehicle information detector comprises an acceleration sensor and the vehicle information comprises acceleration of the vehicle on line 42, on column 3.

6. As per claims 5 and 9, Kuhn et al. disclose the marking of the vehicle information is performed in consideration of the quantity of fuel consumption, the quantity of exhaust gas to be emitted, or components of the exhaust gas of the vehicle during the use of the vehicle on lines 25-30, on column 3.

7. As per claims 11 and 16, Kuhn et al. disclose the notifying device comprises at least either one of a display and a sound output unit mounted on the vehicle on lines 50-60, on column 4.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Ohtani et al., 4413249, disclose vehicle fuel-efficiency warning device.

10. Strifler, 4494404, discloses fuel-consumption monitoring system for motor vehicles with manually-shifted transmissions.

11. DiNunzio, 4544909, discloses fuel consumption signaling device.

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12. Teshima et al., 4647902, disclose display unit of fuel consumption meter for automobile.
13. Hibino et al., 4723215, disclose method for indicating a vehicle operation in a fuel economy range for a vehicle with a manual transmission.
14. Krofchalk et al., 4945759, disclose vehicle performance monitoring system.
15. Mearek et al., 5600558, disclose data exception reporting system.
16. Ghitea, Jr. et al., 5693876, disclose fuel economy display for vehicles.
17. Lee, 5734101, discloses device for detecting lean burn drive mode for a vehicle.
18. Sandborg et al., 5758299, disclose method for generating performance ratings for a vehicle operator.
19. Jenkins et al., 5928291, disclose mileage and fuel consumption determination for geo-cell based vehicle information management.
20. Ehlbeck et al., 6092021, disclose fuel use efficiency system for a vehicle for assisting the driver to improve fuel economy.
21. Jenkins et al., 6253129, disclose system for monitoring vehicle efficiency and vehicle and driver performance.
22. Horgan et al., 6306063, disclose system for controlling combustion engine performance in accordance with driver behavior.
23. Weisman, II, 6411888, discloses gauging driving efficiency.
24. Tano et al., 6438472, discloses operation control system capable of analyzing driving tendency and its constituent apparatus.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 703-308-9033. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.



WILLIAM A. CUCHLINSKI, JR.
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BJB
May 30, 2003